

**Fill in this information to identify your case:**

Debtor 1	<u>Tony</u>	<u>Jack</u>	<u>Nicholson</u>
	First Name	Middle Name	Last Name
Debtor 2 (Spouse, if filing)	_____	_____	_____
	First Name	Middle Name	Last Name
United States Bankruptcy Court for the:	<u>NORTHERN DISTRICT OF TEXAS</u>		
Case number (if known)	<u>24-50020-7</u>		

☒ Check if this is an amended filing

**Official Form 107**

**Statement of Financial Affairs for Individuals Filing for Bankruptcy**

**04/22**

Be as complete and accurate as possible. If two married people are filing together, both are equally responsible for supplying correct information. If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write your name and case number (if known). Answer every question.

**Part 1: Give Details About Your Marital Status and Where You Lived Before**

**1. What is your current marital status?**

- ☒ Married  
☐ Not married

**2. During the last 3 years, have you lived anywhere other than where you live now?**

- ☐ No  
☒ Yes. List all of the places you lived in the last 3 years. Do not include where you live now.

**Debtor 1:**

**Dates Debtor 1  
lived there**

**Debtor 2:**

**Dates Debtor 2  
lived there**

☐ Same as Debtor 1

☐ Same as Debtor 1

2108 100th St

Number Street

From \_\_\_\_\_

To \_\_\_\_\_

11/2023

Number Street

\_\_\_\_\_

From \_\_\_\_\_

To \_\_\_\_\_

Lubbock

City

TX

State

79423

ZIP Code

City

State ZIP Code

**3. Within the last 8 years, did you ever live with a spouse or legal equivalent in a community property state or territory?**

(Community property states and territories include Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, and Wisconsin.)

- ☐ No  
☒ Yes. Make sure you fill out *Schedule H: Your Creditors* (Official Form 106H).

Debtor 1 **Tony Jack Nicholson**

Case number (if known) **24-50020-7**

**Part 2: Explain the Sources of Your Income**

**4. Did you have any income from employment or from operating a business during this year or the two previous calendar years?**

Fill in the total amount of income you received from all jobs and all businesses, including part-time activities.

If you are filing a joint case and you have income that you receive together, list it only once under Debtor 1.

- ☐ No  
☒ Yes. Fill in the details.

	Debtor 1	Debtor 2
	<b>Sources of income</b> Check all that apply.	<b>Gross income</b> (before deductions and exclusions)
<b>From January 1 of the current year until the date you filed for bankruptcy:</b>	<input checked="" type="checkbox"/> Wages, commissions, bonuses, tips <input type="checkbox"/> Operating a business	<b>\$10,219.00</b>
<b>For last calendar year:</b> (January 1 to December 31, <u>2023</u> )	<input checked="" type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<b>\$79,184.00</b>
<b>For the calendar year before that:</b> (January 1 to December 31, <u>2022</u> )	<input checked="" type="checkbox"/> Wages, commissions, bonuses, tips <input checked="" type="checkbox"/> Operating a business	<b>\$159,309.00</b>

**5. Did you receive any other income during this year or the two previous calendar years?**

Include income regardless of whether that income is taxable. Examples of other income are alimony; child support; Social Security; unemployment; and other public benefit payments; pensions; rental income; interest; dividends; money collected from lawsuits; royalties; and gambling and lottery winnings. If you are filing a joint case and you have income that you received together, list it only once under Debtor 1.

List each source and the gross income from each source separately. Do not include income that you listed in line 4.

- ☐ No  
☒ Yes. Fill in the details.

	Debtor 1	Debtor 2
	<b>Sources of income</b> Describe below.	<b>Gross income from each source</b> (before deductions and exclusions)
<b>From January 1 of the current year until the date you filed for bankruptcy:</b>		
<b>For last calendar year:</b> (January 1 to December 31, <u>2023</u> )	<b>Vanguard 401K</b>	<b>\$19,170.87</b>
<b>For the calendar year before that:</b> (January 1 to December 31, <u>2022</u> )		

Debtor 1 **Tony Jack Nicholson**

Case number (if known) **24-50020-7**

**Part 3: List Certain Payments You Made Before You Filed for Bankruptcy**

**6. Are either Debtor 1's or Debtor 2's debts primarily consumer debts?**

- ☒ No. **Neither Debtor 1 nor Debtor 2 has primarily consumer debts.** *Consumer debts* are defined in 11 U.S.C. § 101(8) as "incurred by an individual primarily for a personal, family, or household purpose."

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$7,575\* or more?

☒ No. Go to line 7.

☐ Yes. List below each creditor to whom you paid a total of \$7,575\* or more in one or more payments and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

\* Subject to adjustment on 4/01/25 and every 3 years after that for cases filed on or after the date of adjustment.

- ☐ Yes. **Debtor 1 or Debtor 2 or both have primarily consumer debts.**

During the 90 days before you filed for bankruptcy, did you pay any creditor a total of \$600 or more?

☐ No. Go to line 7.

☐ Yes. List below each creditor to whom you paid a total of \$600 or more and the total amount you paid that creditor. Do not include payments for domestic support obligations, such as child support and alimony. Also, do not include payments to an attorney for this bankruptcy case.

**7. Within 1 year before you filed for bankruptcy, did you make a payment on a debt you owed anyone who was an insider?**

*Insiders* include your relatives; any general partners; relatives of any general partners; partnerships of which you are a general partner; corporations of which you are an officer, director, person in control, or owner of 20% or more of their voting securities; and any managing agent, including one for a business you operate as a sole proprietor. 11 U.S.C. § 101. Include payments for domestic support obligations such as child support and alimony.

☒ No

☐ Yes. List all payments to an insider.

**8. Within 1 year before you filed for bankruptcy, did you make any payments or transfer any property on account of a debt that benefited an insider?**

Include payments on debts guaranteed or cosigned by an insider.

☒ No

☐ Yes. List all payments that benefited an insider.

**Part 4: Identify Legal Actions, Repossessions, and Foreclosures**

**9. Within 1 year before you filed for bankruptcy, were you a party in any lawsuit, court action, or administrative proceeding?**

List all such matters, including personal injury cases, small claims actions, divorces, collection suits, paternity actions, support or custody modifications, and contract disputes.

☐ No

☒ Yes. Fill in the details.

Case title	Nature of the case
<b>EBF Holdings, LLC dba Everest Business Funding vs. Tony Jack Nicholson dba Legacy 25 Custom Pools and Tony Jack Nicholson</b>	<b>Collections</b>

Case number **202312110377**

Court or agency	Status of the case
<b>Supreme Court of the State of New York County of Monroe</b>	<input type="checkbox"/> Pending
Court Name	<input type="checkbox"/> On appeal
<b>39 W. Main St., Room 101</b>	<input type="checkbox"/> Concluded
Number Street	
<b>Rochester</b>	<b>NY 14614</b>
City	State ZIP Code

Debtor 1 Tony Jack Nicholson Case number (if known) 24-50020-7

10. Within 1 year before you filed for bankruptcy, was any of your property repossessed, foreclosed, garnished, attached, seized, or levied?

Check all that apply and fill in the details below.

- ☒ No. Go to line 11.  
☐ Yes. Fill in the information below.

11. Within 90 days before you filed for bankruptcy, did any creditor, including a bank or financial institution, set off any amounts from your accounts or refuse to make a payment because you owed a debt?

- ☒ No  
☐ Yes. Fill in the details.

12. Within 1 year before you filed for bankruptcy, was any of your property in the possession of an assignee for the benefit of creditors, a court-appointed receiver, a custodian, or another official?

- ☒ No  
☐ Yes

### Part 5: List Certain Gifts and Contributions

13. Within 2 years before you filed for bankruptcy, did you give any gifts with a total value of more than \$600 per person?

- ☒ No  
☐ Yes. Fill in the details for each gift.

14. Within 2 years before you filed for bankruptcy, did you give any gifts or contributions with a total value of more than \$600 to any charity?

- ☒ No  
☐ Yes. Fill in the details for each gift or contribution.

### Part 6: List Certain Losses

15. Within 1 year before you filed for bankruptcy or since you filed for bankruptcy, did you lose anything because of theft, fire, other disaster, or gambling?

- ☐ No  
☒ Yes. Fill in the details.

Describe the property you lost and how the loss occurred	Describe any insurance coverage for the loss Include the amount that insurance has paid. List pending insurance claims on line 33 of <i>Schedule A/B: Property</i> .	Date of your loss	Value of property lost
Truck, equipment, and tools were stolen. Truck was recovered, stripped.		11/2023	\$900.00

Debtor 1 **Tony Jack Nicholson**

Case number (if known) **24-50020-7**

**Part 7: List Certain Payments or Transfers**

- 16. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone you consulted about seeking bankruptcy or preparing a bankruptcy petition?**

Include any attorneys, bankruptcy petition preparers, or credit counseling agencies for services required for your bankruptcy.

- ☐ No  
☒ Yes. Fill in the details.

Person Who Was Paid	Description and value of any property transferred	Date payment or transfer was made	Amount of payment
<b>Law Office of Clinton W. Cook</b> P.O. Box 53116 Number Street	Retainer	01/08/2024	\$1,700.00

**Lubbock TX 79453-3116**  
City State ZIP Code

Email or website address

Person Who Made the Payment, if Not You

- 17. Within 1 year before you filed for bankruptcy, did you or anyone else acting on your behalf pay or transfer any property to anyone who promised to help you deal with your creditors or to make payments to your creditors?**

Do not include any payment or transfer that you listed on line 16.

- ☒ No  
☐ Yes. Fill in the details.

- 18. Within 2 years before you filed for bankruptcy, did you sell, trade, or otherwise transfer any property to anyone, other than property transferred in the ordinary course of your business or financial affairs?**

Include both outright transfers and transfers made as security (such as granting of a security interest or mortgage on your property). Do not include gifts and transfers that you have already listed on this statement.

- ☐ No  
☒ Yes. Fill in the details.

Person Who Received Transfer	Description and value of property transferred	Describe any property or payments received or debts paid in exchange	Date transfer was made
<b>Michael Castro, Jacqueline Fernandez</b> 2108 100th St Number Street	Oklahoma Joes Smoker and Grill	\$1100.00	2/1/2024

**Lubbock TX 79423**  
City State ZIP Code

Person's relationship to you **none**

Debtor 1 **Tony Jack Nicholson** Case number (if known) **24-50020-7**

<b>Michael Castro, Jacqueline Fernandez</b> Person Who Received Transfer	Description and value of property transferred <b>pool table</b>	Describe any property or payments received or debts paid in exchange <b>\$2000</b>	Date transfer was made <b>1/26/2024</b>
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**2108 100th st**  
Number Street

**Lubbock TX 79423**  
City State ZIP Code

Person's relationship to you **none**

19. Within 10 years before you filed for bankruptcy, did you transfer any property to a self-settled trust or similar device of which you are a beneficiary? (These are often called asset-protection devices.)

- ☒ No  
☐ Yes. Fill in the details.

### Part 8: List Certain Financial Accounts, Instruments, Safe Deposit Boxes, and Storage Units

20. Within 1 year before you filed for bankruptcy, were any financial accounts or instruments held in your name, or for your benefit, closed, sold, moved, or transferred?

Include checking, savings, money market, or other financial accounts; certificates of deposit; shares in banks, credit unions, brokerage houses, pension funds, cooperatives, associations, and other financial institutions.

- ☐ No  
☒ Yes. Fill in the details.

	Last 4 digits of account number	Type of account or instrument	Date account was closed, sold, moved, or transferred	Last balance before closing or transfer
<b>Chase Bank</b> Name of Financial Institution	<b>XXXX- 9 9 6 9</b>	<input type="checkbox"/> Checking <input checked="" type="checkbox"/> Savings <input type="checkbox"/> Money market <input type="checkbox"/> Brokerage <input type="checkbox"/> Other	<b>12/2023</b>	<b>\$0.00</b>
<b>6503 82nd St</b> Number Street				
<b>Lubbock TX 79424</b> City State ZIP Code				

21. Do you now have, or did you have within 1 year before you filed for bankruptcy, any safe deposit box or other depository for securities, cash, or other valuables?

- ☒ No  
☐ Yes. Fill in the details.

22. Have you stored property in a storage unit or place other than your home within 1 year before you filed for bankruptcy?

- ☐ No  
☒ Yes. Fill in the details.

	Who else has or had access to it?	Describe the contents	Do you still have it?
<b>A Plus Storage</b> Name of Storage Facility	Name	<b>storefront and storage.</b>	<input checked="" type="checkbox"/> No
<b>2614 FM 1585 Ste 4</b> Number Street	Number Street	<b>YouBronze inventory, Big Tex trailer, pool plumbing, material, and pool plaster</b>	<input type="checkbox"/> Yes

**Lubbock TX**  
City State ZIP Code

Debtor 1 Tony Jack Nicholson

Case number (if known) 24-50020-7

**Part 9: Identify Property You Hold or Control for Someone Else**

23. Do you hold or control any property that someone else owns? Include any property you borrowed from, are storing for, or hold in trust for someone.

- ☒ No  
☐ Yes. Fill in the details.

**Part 10: Give Details About Environmental Information**

For the purpose of Part 10, the following definitions apply:

- **Environmental law** means any federal, state, or local statute or regulation concerning pollution, contamination, releases of hazardous or toxic substance, wastes, or material into the air, land, soil, surface water, groundwater, or other medium, including statutes or regulations controlling the cleanup of these substances, wastes, or material.
- **Site** means any location, facility, or property as defined under any environmental law, whether you now own, operate, or utilize it or used to own, operate, or utilize it, including disposal sites.
- **Hazardous material** means anything an environmental law defines as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, contaminant, or similar item.

Report all notices, releases, and proceedings that you know about, regardless of when they occurred.

24. Has any governmental unit notified you that you may be liable or potentially liable under or in violation of an environmental law?

- ☒ No  
☐ Yes. Fill in the details.

25. Have you notified any governmental unit of any release of hazardous material?

- ☒ No  
☐ Yes. Fill in the details.

26. Have you been a party in any judicial or administrative proceeding under any environmental law? Include settlements and orders.

- ☒ No  
☐ Yes. Fill in the details.

Debtor 1 **Tony Jack Nicholson**

Case number (if known) **24-50020-7**

**Part 11: Give Details About Your Business or Connections to Any Business**

**27. Within 4 years before you filed for bankruptcy, did you own a business or have any of the following connections to any business?**

- ☒ A sole proprietor or self-employed in a trade, profession, or other activity, either full-time or part-time  
☐ A member of a limited liability company (LLC) or limited liability partnership (LLP)  
☐ A partner in a partnership  
☐ An officer, director, or managing executive of a corporation  
☐ An owner of at least 5% of the voting or equity securities of a corporation
- ☐ No. None of the above applies. Go to Part 12.  
☒ Yes. Check all that apply above and fill in the details below for each business.

**You Bronze**

Business Name

**2108 100th St**

Number Street

**Describe the nature of the business**  
**selling tanning cosmetics retail and**  
**wholesale**

**Name of accountant or bookkeeper**

**Employer Identification number**

**Do not include Social Security number or ITIN.**

EIN: 8 4 - 3 2 8 6 3 3 1

**Dates business existed**

From 10/7/2019 To current

**Lubbock**

City

**TX**

State

**79423**

ZIP Code

**Legacy 25 Custom Pools**

Business Name

**2108 100th St**

Number Street

**Describe the nature of the business**  
**building custom pools**  
**out of business**

**Name of accountant or bookkeeper**

**Employer Identification number**

**Do not include Social Security number or ITIN.**

EIN: 8 8 - 1 3 2 2 0 6 5

**Dates business existed**

From 3/21/2022 To 9/21/2023

**Lubbock**

City

**TX**

State

**79423**

ZIP Code

**Legacy 25 Custom Pools LLC**

Business Name

**2108 100th St**

Number Street

**Describe the nature of the business**  
**building custom pools**  
**out of business**

**Name of accountant or bookkeeper**

**Employer Identification number**

**Do not include Social Security number or ITIN.**

EIN: 9 3 - 3 6 3 4 8 2 1

**Dates business existed**

From 9/21 To 12/18/2023

**Lubbock**

City

**TX**

State

**79423**

ZIP Code

**28. Within 2 years before you filed for bankruptcy, did you give a financial statement to anyone about your business? Include all financial institutions, creditors, or other parties.**

- ☐ No  
☒ Yes. Fill in the details below.

**Date issued**

**04/13/2023**

**National Funding**

Name

**4380 LaJolla Village Drive**

Number Street

**San Diego**

City

**CA**

State

**92122**

ZIP Code



Debtor 1 **Tony Jack Nicholson**

Case number (if known) **24-50020-7**

Date issued

**E & F Partners**

**09/22/2023**

Name

**8200 NW 52nd Terrace 2nd Floor**

Number Street

**Lake Worth**

**FL**

**33466**

City

State

ZIP Code

Date issued

**Forward Financial**

**07/18/2023**

Name

**53 State St. 20th Floor**

Number Street

**Boston**

**MA**

**02109**

City

State

ZIP Code

Debtor 1 Tony Jack Nicholson

Case number (if known) 24-50020-7

**Part 12: Sign Below**

I have read the answers on this *Statement of Financial Affairs* and any attachments, and I declare under penalty of perjury that the answers are true and correct. I understand that making a false statement, concealing property, or obtaining money or property by fraud in connection with a bankruptcy case can result in fines up to \$250,000, or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.

**X** /s/ Tony Jack Nicholson

Tony Jack Nicholson, Debtor 1

**X** \_\_\_\_\_

Signature of Debtor 2

Date 03/01/2024

Date \_\_\_\_\_

Did you attach additional pages to *Your Statement of Financial Affairs for Individuals Filing for Bankruptcy* (Official Form 107)?

- ☒ No  
☐ Yes

Did you pay or agree to pay someone who is not an attorney to help you fill out bankruptcy forms?

- ☒ No  
☐ Yes. Name of person \_\_\_\_\_

Attach the *Bankruptcy Petition Preparer's Notice, Declaration, and Signature* (Official Form 119).